

20 Shady Hill Road
Newton Highlands, MA 02461
May 14, 2012

Land Use Committee
Board of Aldermen
City of Newton

Dear Aldermen:

I would like to submit this letter as testimony for the public hearing on **Petition #92-12, GOLDEN DEVELOPMENT CORP./JEAN E. GREER REVOCABLE TRUST** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a rear lot subdivision and to increase the Floor Area Ratio requirement from the maximum of .24 to .36 to construct two single-family dwellings at **112-116 DEDHAM STREET**, Ward 5, Newton Highlands.

I am the owner of the property at 20 Shady Hill Road, Newton Highlands, which directly abuts the proposed rear lot subdivision. My property would experience significant impact from the construction of the proposed rear lot, and also from the removal of the historic barn entailed in the proposed construction, if the special permit were granted by the City of Newton. Having met with the developer, reviewed the available site plan (attached), and read the Department of Planning and Development memo (dated May 11 and attached), I remain very concerned about the potential impact of the proposed construction governed by the permit. Specifically, I would like to bring to the committee's attention my concerns on 1) excessive scale of the proposed building on the rear lot, 2) the specification of the large hammerhead turn-around area proposed for the northeast corner of the property, 3) clarification of the plan for landscaping, trees, mechanical equipment and air conditioning unit placement, and lighting for the new rear lot, and 4) the need for a detailed construction management plan for the proposed rear lot.

The first issue of concern is the height, floor area ratio (FAR), and size of the proposed building on the rear lot subdivision (Lot 4 on the site plan). According to the neighborhood FAR comparison chart prepared by the Planning Department, the average building height of the houses neighboring rear lot 4 (not including the other proposed lots 1, 2, and 3) is 28.09 feet. The proposed height of rear lot 4 is 32.7 feet, about **16.4 percent higher** than the neighborhood average. The average FAR for the neighboring houses (again not including lots 1, 2, 3) is about 0.215. The proposed FAR for rear lot 4 is 0.36, about **67.4 percent higher** than the neighborhood average. Finally, the average square footage of the neighboring houses (again excluding the proposed lots 1, 2, 3) is about 2,558 square feet. The proposed square footage of rear lot 4 is 5,452 square feet, more than **113 percent higher** than the neighborhood average!

Given the above statistics, it is clear that the scale of the proposed structure on rear lot 4 is dramatically larger than that of the neighboring houses (especially the directly abutting houses on Ledgewood and Shady Hill Roads). Thus, the character of the proposed structure is incompatible with that of the adjacent neighborhood. Additionally, as pointed out by the Department of Planning and Development memo, the proposed FAR of 0.36 is not significantly less than that allowed for the other three new by-right lots. This is clearly contrary to the intent of the rear lot subdivision ordinance (Sections 30-15(r) and 30-15, Table 4), which requires a lower maximum FAR and greater setback requirements in order to minimize the potential adverse impact of the new lot on the adjacent residential neighborhood.

For all the above reasons, I would like to ask that the petitioner be required to significantly reduce the height and square footage of the proposed building on rear lot 4, so that the character of the new structure becomes more consistent with that of its immediate neighbors.

The second issue of concern is the large hammerhead turn-around area proposed for the northeast corner of the property. According to the Department of Planning and Development memo, this “will facilitate overflow guest parking and emergency vehicle access.” These two aims, however, seem to be contradictory. If the hammerhead area is designed to allow fire trucks and other emergency vehicles to turn around, then the area cannot be used for overflow guest parking, as fire and other emergency incidents can occur at any time. Since emergency vehicle access is required, it follows that the hammerhead should **not** be used for guest parking. Furthermore, since the turn-around area detracts from the ambience of the neighborhood and affects the views of immediate neighbors, the size of the area should be reduced to the minimum required for emergency vehicle access. Also, the area should be properly screened through landscaping and trees from the abutting properties.

In summary, I would like to ask that the petitioner be required to designate the hammerhead turnaround area for emergency vehicles access only and to forbid the parking of overflow guest vehicles in the area. Furthermore, I ask that the petitioner be required to reduce the size of the turnaround area to the minimum needed for emergency vehicle access. Furthermore, the petitioner should be required to properly screen the turnaround area through landscaping and trees from the abutting properties.

The third issue of concern is the planning for landscaping, trees, mechanical equipment, air conditioning units, and lighting for the new rear lot. Since our property at 20 Shady Hill Road directly abuts the planned rear lot, the design for landscape screening, the preservation of old trees and planting of new trees, the placement of mechanical equipment and AC units, as well as lighting design, are major issues for us. We are very concerned that improper design of these features will have significant adverse consequences for our property. The current site plan offered by the developer contains mostly setback information, and does not contain

specific information on landscaping, trees, mechanical equipment, and lighting for the rear lot.

I would like to ask that the petitioner be required to submit another site plan which includes the detailed design for landscaping, trees, mechanical equipment, and lighting for rear lot 4. The petitioner should be required to design the landscaping, trees, mechanical equipment placement, AC unit placement, and lighting features so as to minimize adverse impact on the abutting properties.

The final issue of concern is the need for a detailed construction management plan for the proposed rear lot 4. Again, since my property directly abuts the rear lot, my property will be the one which experiences the impact of the new construction in the most significant way. The construction of the proposed rear lot will first entail the tearing down of the historic barn which sits right on our property line. The improper management of the barn removal and construction of the rear lot will have major adverse impacts on my property. Furthermore, the construction will significantly affect the quality of our lives during the length of the construction, especially since we have a young baby who requires much sleep during the day.

For all the above reasons, I ask that the petitioner be required to submit a detailed construction management plan for the proposed rear lot 4. The petitioner should be required to spell out in detail how the construction will be managed to minimize the impact on the lives of the abutters. Specifically, the construction plan should spell out how the historic barn will be dismantled with minimal impact in terms of structural damage, water leakage, possible release of insects and vermin, dust pollution, and noise.

I would very much appreciate the Committee's understanding and careful consideration of my concerns on the proposed rear lot construction. I hope to work with the developer, the City, and the neighbors, to ensure that the proposed construction is designed and managed to minimize adverse impacts on the neighbors, and to preserve the character of the great neighborhood in which we live.

Thank you for your kind consideration.

Sincerely,

Edmund Yeh